

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN SPENCER

:

CIVIL ACTION

v.

:

SUP'T. TRITT, et al.

:

NO. 13-3909

ORDER

AND NOW, this 15th day of November, 2013, upon consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby

ORDERED

that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Petitioner's petition for a writ of habeas corpus is **DENIED**; and
3. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ Legrome D. Davis

LEGROME D. DAVIS, J.